

Submission Pursuant to 37 C.F.R. § 1.114(c)
Appl. No. 10/826,646
Group Art Unit 1751

Remarks

The following remarks are responsive to the August 22, 2007 Final Office Action. Applicants respectfully request reconsideration.

Status of the Claims

Claim 36 is amended. Claims 43-44 and 51-52 are cancelled (Claims 1-35 were previously cancelled). Claims 40 and 46 are withdrawn. Claims 36-39, 41-42, 45-47, 49-50 and 53-55 are pending.

Support for Amendment

Support for the amendment to Claim 36 is found in the specification on page 5, line 4; page 6, line 27; and in cancelled Claim 44. No new matter is added.

Rejection under 35 U.S.C. § 103(a)

The Examiner rejected Claims 36-39, 41-47 and 49-55 under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 4,448,817 (Benisek). Claim 36 (from which Claims 37-39, 41-47 and 49-55 depend) is amended to clarify the invention.

Benisek relates to textile finishing of keratinous articles. The method includes treating the articles with (1) an anti-felt polymer, including isocyanate or bunte salt polymers, (2) a polymer of chlorinated ethyleneically unsaturated monomer, including polyvinylchloride, polyvinylidene chloride, polypropylene, and dichlorobutadiene, and thereafter, (3) an anionic titanium or zirconium complex at a pH of 4 or less.

Benisek teaches away from the claimed invention by disclosing a pH of 4 or less. Benisek also fails to teach or provide a reason why one skilled in the art would treat articles with a composition having a pH of from about 5 to 9. Since Benisek teaches away from the claimed invention, and there is no teaching or line of reasoning to raise the pH above 4, it would not have been obvious to one skilled in the art to treat textile

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fibers as claimed, absent Applicants' disclosure. Therefore, the rejection should be withdrawn. Reconsideration and withdrawal of the rejection are respectfully requested.

Fees

A Request for Continued Examination and requisite fee, and a Petition for a Three-month Extension of Time and requisite fee are enclosed. No additional fees are believed due, but the Commissioner is authorized to charge any fees deemed due (or credit any balance owing) to Deposit Account No. 50-1177.

Conclusion

It is respectfully submitted that Claims 36-39, 41-42, 45-47, 49-50 and 53-55 are in condition for allowance. A Notice of Allowance is respectfully requested. If anything further is needed to advance the allowance of this application, the Examiner is requested to contact Applicants' attorney at the telephone number indicated below.

Respectfully submitted,

February 18, 2008

Date


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